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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/330,134	06/11/1999	ALAIN BETHUNE	103602	9029

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OLIFF & BERRIDGE, PLC  
P.O. BOX 19928  
ALEXANDRIA, VA 22320

EXAMINER

JOLLEY, KIRSTEN

ART UNIT	PAPER NUMBER
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1762

DATE MAILED: 07/16/2003

26

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/330,134

Applicant(s)

BETHUNE, ALAIN

Examiner

Kirsten Crockford Jolley

Art Unit

1762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 34-40,45-62,82 and 83 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 34-40,45-47,52-62,82 and 83 is/are rejected.
- 7) ☒ Claim(s) 48-51 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Response to Arguments*

1. The 35 USC 112, 2<sup>nd</sup> paragraph rejections set forth in the prior Office action have been withdrawn in response to Applicant's amendments to the claims.
2. Applicant's arguments filed May 2, 2003 have been fully considered but they are not persuasive.

With respect to the 35 USC 103(a) rejections over Hasebe et al., Applicant argues that, in Hasebe et al., solvent is only diffused on the substrate using centrifugal force and not in two different manners (i.e., centrifugal force and direct application). The Examiner notes that claim 34 does not require that the coating material is applied in two different manners, the claim only requires that the coating is applied directly to the surface of the article. The step of applying solvent coating material to the four corners of the substrate in the process of Hasebe et al. necessarily applies coating material directly onto the surface of the substrate since solvent is supplied straight from the nozzle to the corners of the substrate, and because there is not another material or process step intervening between the coating material and the substrate. It is also noted that claim 34 does not require that coating material is applied directly to the *entire* substrate surface which is not covered by coating material spreading under the effect of centrifugal force, claim 34 merely requires that coating is applied directly to *a* surface of the article which is not covered by coating material spreading under the effect of centrifugal force. The Examiner additionally notes that "said predetermined quantity of coating spreading under the effect of centrifugal force" referred to in line 6 of claim 34 is interpreted as referring to the

Art Unit: 1762

quantity of solvent which is applied to the center of the rectangular substrate in the process of Hasebe et al.; this quantity of solvent coating material spreads by centrifugal force but does not cover the corners of the rectangular substrate.

In the rejection of Iwasaki in view of Hasebe et al., it is noted that Hasebe et al. is applied and maintained for the same reasons discussed above.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 34-40, 45-46, 52-54, 58-59, and 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hasebe et al. (US 5,658,615).

The claims remain rejected for the reasons set forth in the prior Office action, as well as for the reasons discussed above in paragraph 2.

5. Claims 34-40, 46-47, 52-54, 57-62, and 83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwasaki (US 5,002,799) in view of Hasebe et al.

The claims remain rejected for the reasons set forth in the prior Office action, as well as for the reasons discussed above in paragraph 2. New claim 83 is rejected over Iwasaki '799 in

Art Unit: 1762

view of Hasebe et al. because the face plate of a cathode ray tube (which is coated in Iwasaki '799) is a hollow article.

6. Claims 55-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwasaki (US 5,002,799) in view of Hasebe et al. as applied to claim 34 above and further in view of Iwasaki (US 5,599,579).

The claims remain rejected for the reasons set forth in the prior Office action, as well as for the reasons discussed above in paragraph 2.

#### ***Allowable Subject Matter***

7. Claims 48-51 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 48-51 are allowable for the same reasons discussed in the prior Office action.

#### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

Art Unit: 1762


the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten Crockford Jolley whose telephone number is 703-306-5461. The examiner can normally be reached on Monday to Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive Beck can be reached on 703-308-2333. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1193.

  
kcj  
July 9, 2003

  
TIMOTHY MEEKS  
PRIMARY EXAMINER